

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

CARL DAVID STILLWELL,

Defendant.

No. 13-cr-521 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:


On March 11, 2025, third-party petitioner Andrea Stillwell, the wife of Defendant Carl David Stillwell, filed a motion for release and return of property subject to the Preliminary Order of Forfeiture as to Substitute Assets entered in this case. *See* Dkt. Nos. 688, 924. Her motion argued that the \$35,000 money judgment against Mr. Stillwell had been fully satisfied by payment of a check in November 2022, which meant that the substitute assets—some 160 firearms seized from Mr. Stillwell’s home—should be returned to her. She further asserted that she should not be required to pay approximately \$15,000 in fees that the Person County Sheriff’s Department was demanding as payment for storing the firearms at one of its facilities since their seizure. Although the Government agrees that Mr. Stillwell’s judgment was been satisfied and that the preliminary forfeiture order should be vacated, it maintains that it is not involved in the storage fee dispute and “believes any such issues should be resolved between Ms. Stillwell and the county [sheriff’s department].” Dkt. No. 927 at 1 n.1.

The Court is inclined to approve the Governments’ proposed order vacating the preliminary forfeiture order and extinguishing its interest in the substitute assets. It is not clear, however, whether the Court has a role in Ms. Stillwell’s storage fee dispute. No later than April 18, 2025, the Government shall provide further information about the circumstances in which the firearms

were stored with the Person County Sheriff's Department, including whether the Government has any formal or informal storage agreement with the sheriff's department and what role the Government had in placing the firearms with the sheriff's department for storage. The Government shall also provide relevant caselaw on which party bears responsibility for storage fees in such circumstances and whether the Court has any role in adjudicating a dispute over that responsibility. Ms. Stillwell shall file any response to the Government's submission no later than May 18, 2025. The Clerk of Court is respectfully directed to mail a copy of this order to Ms. Stillwell at her address on file with the Court.

SO ORDERED.

Dated: April 11, 2025  
New York, New York

  
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Ronnie Abrams  
United States District Judge